

Serial No. 10/729,975

**REMARKS**

The applicant notes with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

The applicant acknowledges and appreciates receiving an initialed copy of the form PTO-1449 that was filed on December 9, 2003. It is noted that the form PTO-892 attached to the office action lists the references mentioned in the specification.

Claims 1 – 3 are pending. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

The abstract was objected to as being more than one paragraph. By way of the above amendment, the abstract has been amended to a single paragraph. Also, the reference numbers in the abstract have been eliminated. Withdrawal of the objection is respectfully requested.

Claims 1 – 2 were rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 6,445,203, Yamashita et al. ("Yamashita") in view of U.S. Patent No. 5,821,505, Tustaniwskyj et al. ("Tustaniwskyj"). The rejection is respectfully traversed for reasons including the following, which are provided by way of example.

As described in the application, the invention recognizes the problem of temperature during the process of using a pusher on a preheated IC device (e.g., specification page 2, lines 9 – 23.) Independent claim 1 recites in combination, for example, a pusher main body which is capable of direct contact with the electronic component to be tested. A heat absorbing and radiating body is provided on the pusher main body. A heater is provided on the pusher main body to enable direct or indirect contact with the electronic component to be tested without

Serial No. 10/729,975

intervention of the pusher main body. A thermal insulating material provided is between said pusher main body and said heater. (See claim 1.)

Thereby, when the electronic component to be tested reaches a higher temperature than the set temperature due to self-induced heat generation, the heat in the electronic component is transferred from the pusher main body to the heat absorbing and radiating body, from which it radiates out. In addition, the thermal insulating material between the pusher main body and the heater prevents the heat absorbing and radiating body from being undesirably warmed by the heat from the heater.

Consequently, the heat from the heat absorbing and radiating body can be radiated more effectively. In other words, excessive temperature in the electronic component can be prevented, even when the electronic component reaches a high temperature. Thus, the electronic component can be controlled to be in a particular temperature. (See, e.g., specification page 6.)

On the other hand, without conceding that Yamashita discloses any feature of the present invention, Yamashita is directed to an electric device testing apparatus. The office action contends that element 114 of Yamashita corresponds to a "heat absorbing and radiating body." To the contrary, element 114 is a temperature sensor. According to Yamashita, "the temperature sensor 114 is configured by a contact-type temperature sensor like a thermocouple or a non-contact-type temperature sensor like a radiation thermometer and designed to detect the temperature of the IC chip 2 itself or the atmosphere temperature around the IC chip. The temperature data detected from the temperature sensor 114 is sent to the control apparatus ..."

The office action admits that Yamashita fails to teach or suggest a heater as claimed. It is also noted that Tustaniwskyj fails to teach or disclose the thermal insulating material as claimed. In order to remedy the deficiencies of Yamashita, the office action cites Tustaniwskyj.

Serial No. 10/729,975

Tustaniwskyj is directed to a temperature control system for an electronic device which achieves a quick response by interposing a heater between the device and a heat sink. The office action contends that Tustaniwskyj teaches the heater and thermal insulating material as claimed. The office action cites element 102 as corresponding to a "thermal insulating material." To the contrary, element 102 is a layer of "thermally conductive epoxy" (Col. 13, line 24.)

The applicant has provided herein a selection of some examples of limitations in the claims which are neither taught nor suggested by Yamashita nor Tustaniwskyj.

In addition, even if the proposed combination of Yamashita and Tustaniwskyj is made, the proposed combination fails to teach or suggest the claimed invention as a whole. For example, if Tustaniwskyj's heater is provided with Yamashita, the heater is mounted on the underside of the pusher main body (see Tustaniwskyj, Fig. 12). According to the proposed combination, the pusher main body will not contact the electronic component to be tested.

Hence, Yamashita and Tustaniwskyj, alone or in combination, fail to teach or suggest the combination of features recited in independent claim 1, when considered as a whole. Therefore, it is respectfully that claims 1 and 2 are patentable over the references.

Claim 3 was rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,593,761, Fukasawa et al. ("Fukasawa"). The rejection is respectfully traversed for reasons including the following, which are provided by way of example.

According to claim 3, one or more aspects of the invention are directed to a method for controlling the temperature of an electronic component to be tested during the testing of the electronic component in an electronic component handling apparatus. Cooling of the electronic component to be tested is performed by cooling a heat absorbing and radiating body to which the heat of the electronic component is transferred through a pusher main body, the pusher main

Serial No. 10/729,975

body being in contact with the electronic component. Heating of the electronic component to be tested is performed by a heater. Heat conduction from the heater to the pusher main body and the heat absorbing and radiating body is prevented by a thermal insulating material provided between the pusher main body and the heat absorbing and radiating body. (E.g., claim 3.)

Without conceding that Fukasawa discloses any feature of the present invention, Fukasawa is directed to a test handler for a semiconductor device. The office action asserts that Fukasawa discloses the invention as claimed.

To the contrary, Fukasawa fails to teach or suggest the invention, as presently claimed, when the claim is considered as a whole. Fukasawa fails to teach or suggest, for example, "heat absorbing and radiating body." (See claim 3.) The office action cites temperature sensor 17 as the heat absorbing and radiating body. To the contrary, the temperature sensor of Fukasawa is not a heat absorbing and radiating body. Moreover, Fukasawa fails to teach or suggest that heat conduction from the heater to the pusher main body and the heat absorbing and radiating body is prevented by a thermal insulating material provided between the pusher main body and the heat absorbing and radiating body. (See claim 3.)

Fukasawa fails to teach or suggest, for example, these elements recited in independent claim 3. For at least these reasons, the combination of features recited in independent claim 3, when interpreted as a whole, is submitted to patentably distinguish over the prior art. In addition, Fukasawa clearly fails to show other claimed features as well.

With respect to the rejected dependent claim, the applicant respectfully submits that these claims are allowable not only by virtue of their dependency from independent claim 1, but also because of additional features it recites in combination.

Serial No. 10/729,975

New claims 4 – 10 have been added to further define the invention, and are believed to be patentable for reasons including these set out above. Support for the new claims is located in the specification, for example on page 19, line 13 – page 21 line 2.

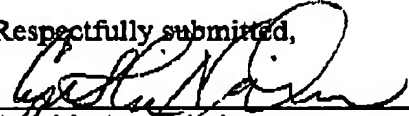
The applicant respectfully submits that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. The applicant does not concede that the cited prior art shows any element recited in the claims. However, the applicant has provided specific examples of elements in the claims that are clearly not present in the cited prior art.

The applicant strongly emphasizes that one reviewing the prosecution history should not interpret any of the examples the applicant has described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of simplicity, the applicant has provided examples of why the claims described above are distinguishable over the cited prior art.

In view of the foregoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,

  
Cynthia K. Nicholson  
Reg. No. 36,880

Posz Law Group, PLC  
12040 South Lakes Drive, Suite 101  
Reston, VA 20191  
Phone 703-707-9110  
Fax 703-707-9112  
Customer No. 23400